#### WILLOUGHBY & HOEFER, P.A.

ATTORNEYS & COUNSELORS AT LAW
930 RICHLAND STREET
P.O. BOX 8416
COLUMBIA, SOUTH CAROLINA 29202-8416

MITCHELL M. WILLOUGHBY
JOHN M.S. HOEFER
RANDOLPH R. LOWELL
TRACEY C. GREEN
BENJAMIN P. MUSTIAN
ELIZABETH ZECK\*
ELIZABETHANN LOADHOLT FELDER
ANDREW J. MACLEOD
CHAD N. JOHNSTON
JOHN W. ROBERTS

AREA CODE 803
TELEPHONE 252-3300
TELECOPIER 256-8062

\*ALSO ADMITTED IN TX

January 12, 2012



#### VIA HAND DELIVERY

The Honorable Jocelyn Boyd Chief Clerk / Administrator **Public Service Commission of South Carolina** 101 Executive Center Drive Columbia, South Carolina 29211

RE: Application of United Utility Companies, Inc. for adjustment of rates and charges and modifications to certain terms and conditions for the provision of water and sewer service; Docket No. 2009-479-WS

Dear Mrs. Boyd:

Enclosed for filing please find the original and ten (10) copies of the surety bond approved by the Commission in its Order No. 2010-543 in the above-referenced docket. This bond is being submitted pursuant to S.C. Code Ann. § 58-5-240(D) and rates not exceeding those approved to be placed into effect under bond in Order No. 2010-543 will be effective on today's date.

I would appreciate your acknowledging receipt of this document by date-stamping the extra copy that is enclosed and returning it to me via our courier. By copy of this letter, I am serving counsel of record with a copy of the bond and enclose a certificate of service to that effect.

If you have any questions, or need additional information, please do not hesitate to contact me. With best regards, I am

Sincerely,

WILLOUGHBY & HOEFER, P.A.

John M. S. Hoefer

JMSH/cm Enclosure

cc: Nanette S. Edwards, Esquire Jeffrey Nelson, Esquire

Duke K. McCall, Jr., Esquire

#### **BEFORE**

# THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKET NO. 2009-479-W/S

SC PUPLO SERVICE	2012 JAN 12 PH 12: 2	BECEIVE
Щ	$\sim$	(7)

IN RE:

Application of United Utility Companies, Inc. for adjustment of rates and charges and modifications to certain terms and conditions for the provision of water and sewer service.

CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day one (1) copy of the **Surety Bond** approved by the Commission in its Order No. 2010-543 by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

Nanette S. Edwards, Esquire Jeffrey Nelson, Esquire **Office of Regulatory Staff** 1401 Main Street, Suite 900 Columbia, SC 29201 Duke K. McCall, Jr., Esquire

Smith Moore Leatherwood, LLP

Post Office Box 87

Greenville, SC 29602

Cindy C. Muls
Cindy C. Mills

Columbia, South Carolina This 12<sup>th</sup> day of January, 2012.

#### **BEFORE**

#### THE PUBLIC SERVICE COMMISSION OF

#### **SOUTH CAROLINA**

**DOCKET NO. 2009-479-W/S** 

IN RE:

Application of United Utility Companies,
Inc. for adjustment of rates and charges
and modifications to certain terms
and conditions for the provision of
water and sewer service.

BOND No.

KNOW ALL PEOPLE BY THESE PRESENTS, that United Utility Companies, Inc. as principal and RLI Insurance Company, a corporation under the laws of the State of Illinois, duly authorized to transact business in the State of South Carolina as surety, are held and firmly bound unto the customers of United Utility Companies, Inc. affected by Order No. 2010-375 of the Public Service Commission, dated May 17, 2010, and any Order denying reconsideration thereof, issued in the above-captioned proceeding, for the sum of three hundred eleven thousand four hundred twenty-six and No/100s dollars (\$311,426.00) in lawful money of the United States of America, for payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Commission Orders under appeal are ultimately determined to be valid and enforceable, then, United Utility Companies, Inc. hereby promises to refund amounts it has collected in excess of

the amounts finally determined to be correct under the appropriate rate schedules. Any such refunds shall include interest as provided by law.

SIGNED, sealed and dated this 9th day of January, 2012.

As to Principal

United Utility Companies, Inc.

ATTEST:

As to Surety

RLI Insurance Company

Candace D. Bosheers, Attorney-in-Fact



RLI Surety P.O. Box 3967 | Peoria, IL 61612-3967 Phone: (800)645-2402 | Fax: (309)689-2036 www.rlicorp.com

## **POWER OF ATTORNEY**

### **RLI Insurance Company**

#### Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That RLI Insurance Company, an Illinois corporation, does hereby make, constitute and appoint:  Dan W. Burton, Teresa D. Kelly, Benjamin D. Wilcox, Candace D. Bosheers, jointly or severally.		
power and authority hereby conferred, to sign, execute, acknowledge and bond.		
Any and all bonds provided the bond penalty does not exceed Twenty Fi	ve Million Dollars (\$25,000,000.00).	
The acknowledgment and execution of such bond by the said Attorney in Fa executed and acknowledged by the regularly elected officers of this Compar	act shall be as binding upon this Company as if such bond had been ay.	
The RLI Insurance Company further certifies that the following is a true a of RLI Insurance Company, and now in force to-wit:	nd exact copy of the Resolution adopted by the Board of Directors	
"All bonds, policies, undertakings, Powers of Attorney or other obligation the Company by the President, Secretary, any Assistant Secretary, Treasur of Directors may authorize. The President, any Vice President, Secretary, Attorneys in Fact or Agents who shall have authority to issue bonds, policies al is not necessary for the validity of any bonds, policies, undertakings, signature of any such officer and the corporate seal may be printed by face	rer, or any Vice President, or by such other officers as the Board etary, any Assistant Secretary, or the Treasurer may appoint sies or undertakings in the name of the Company. The corporate Powers of Attorney or other obligations of the corporation. The	
IN WITNESS WHEREOF, the <b>RLI Insurance Company</b> has caused the corporate seal affixed this <u>6th</u> day of <u>October</u> , <u>2011</u> .	ese presents to be executed by its <u>Vice President</u> with its	
State of Illinois  SS  SS  SS  SS  SS  SS  SS  SS  SS	By: Roy C. Die Vice President	
County of Peoria	CERTIFICATE	
On this 6th day of October, 2011, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and acknowledged said instrument to be the voluntary act and deed of said corporation.  By:	I, the undersigned officer of RLI Insurance Company, a stock corporation of the State of Illinois, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the HLI Insurance Company this day of	
By: Jacque M. Bockler Notary Public	RLI Insurance Company	
MOTATY JACQUELINE M. BOCKLER STATE OF COMMISSION EXPIRES 03/01/14	By: Roy C. Die Vice President	